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TN AG JOINS FIGHT AGAINST CORPORATE ABUSE OF CLASS ACTION SETTLEMENTS

Bipartisan coalition opposes CenturyLink's attempt to thwart state action against it

Nashville- Attorney General Herbert H. Slatery III has joined a bipartisan coalition of attorneys general opposing an attempt to prevent the Minnesota Attorney General from obtaining restitution for consumers.

Following a lengthy investigation, Minnesota's Attorney General filed suit in 2017 against CenturyLink, Inc. for unlawful business practices, alleging the Louisiana-based telecommunications provider had harmed Minnesota consumers through fraudulent and deceptive billing. Trial in Minnesota's lawsuit is scheduled for March 2020.

In addition, numerous private litigants have filed class action lawsuits against CenturyLink in connection with the same conduct, which is alleged to have harmed millions of consumers across the United States. In early 2018, the Judicial Panel on Multidistrict Litigation consolidated the private class action lawsuits before Judge Michael J. Davis in the United States District Court for the District of Minnesota.

In October, CenturyLink announced that it had reached a tentative settlement with the private litigants in federal court. The Attorney General is concerned that under the proposed settlement, consumers may only receive a small fraction of the losses CenturyLink is alleged to have caused. CenturyLink asked Judge Davis to bar the Minnesota Attorney General's state court restitution claims against it, arguing that any further relief ordered by the state court would be "duplicative" of payments consumers will receive under the private settlement.

"Not only is the company's request unconstitutional," said General Slatery. "It incentivizes class action settlement abuse and enables the offending party to keep money that should go to the victims who suffered as a result of its misconduct."

The Minnesota Attorney General filed a separate brief opposing CenturyLink's proposal on November 15. A hearing on the matter will be held before Judge Davis on December 11.



Herbert H. Slatery III Attorney General & Reporter

Delaware's amicus brief was also signed by the attorneys general of: Arizona, Arkansas, California, Colorado, Connecticut, Florida, Georgia, Hawaii, Idaho, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, Nebraska, Nevada, New Jersey, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, Pennsylvania, Rhode Island, South Carolina, Texas, Vermont, Virginia, Washington, Wyoming, and the District of Columbia.

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